

Appln No. 10/532,513
C. Martins et al
Office Action dated October 12, 2006

REMARKS/COMMENTS

The Examiner is thanked for the Official Action dated October 12, 2006. This amendment is intended to be fully responsive thereto.

Claims 1-14 have been cancelled.

New claims 15-32 have been provided to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

New claim 15 provides for a multitude of stacked plates with separate internal flow channels for refrigerating fluid and cooling fluid.

New claim 16 provides for at least two fluid passages formed of groups or subgroups of plates.

New claim 17 provides for annular ducts and communication passages in plates.

New claim 18 provides for the limitations of the above, plus that of the positioning of the annular ducts in relation to the communication passages.

New claims 19-32 have replaced previous claims 3-14, correcting matters of form only. No new matter has been added.

A. Response To Examiner's Objections/Rejections

1. A new information disclosure form has been provided, therefore overcoming Examiner's objection under 37 CFR 1.98 (a)(1).

2. Previous claims 4-14 were previously objected to under 37 CFR 1.75(c) as being in improper form due to incorrect multiple dependencies. New claims 15-32 have corrected all such forms, and, therefore, render this objection moot.

3-4. Previous claims 1-3 were rejected under 35 U.S.C. 112. Claims 1-3 have been cancelled, rendering this rejection moot. Applicants respectfully submit that new claims 15-32 now particularly point out and distinctively claim the subject matter Applicants regard as the invention.

5-6. The Examiner has rejected previous claims 1-3 under 35 USC 102(b) as anticipated by Sonoda which he described as heat exchanger comprising a multitude of stacked plates.

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Though Sonoda does disclose an evaporator of laminated type having a plurality of liquid passage pipe units, Applicants respectfully assert that it does not anticipate or render the new claims 15-32 of the present invention. The present invention clearly allows for two internal fluids, the refrigerating fluid F1 and the cooling fluid F2, to pass from one communication passage to another.

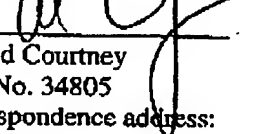
In addition, as in the embodiments of new claim 18, the claims 15-17 and the annular ducts which alternate with regards to the passage to prevent a mix of the refrigerating and cooling fluid is not anticipated or rendered obvious by Sonoda.

B. Conclusion

Applicants respectfully submit that the claims of present invention, as claimed in the new claims 15-32, overcome Examiner's objections and rejections and are new and unobvious based on the prior art.

Based on the foregoing, it is respectfully submitted that claims 15-32, in their current forms, define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution, please be invited to contact the undersigned at the number listed below.

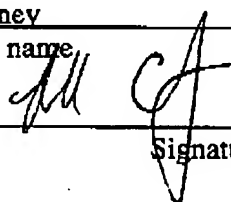
Respectfully submitted:

By: 
Ronald Courtney
Reg. No. 34805
Correspondence address:
Valeo, Inc.
Intellectual Property Department
4100 North Atlantic Boulevard
Auburn Hills, Michigan 48326
Tel: (248) 209 84 35 - Fax: (248) 209 82 05

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I hereby certify that this correspondence is being transmitted by
facsimile to the Commissioner for Patents,
Alexandria VA, 22313-1450 on April 11, 2007.

R. Courtney 34805
Attorney name Registration N.



Signature of Attorney